

Atty. Docket No.: VPI/99-109 DIV US
Application No.: 10/779,532
Applicants: Green et al.

REMARKS

The Amendment to the Specification

Applicants have replaced the first paragraph of the specification to update the priority information for the current application. Applicants previously provided the updated priority information in the Utility Patent Application Transmittal, filed February 13, 2004.

The Claim Amendments

Applicants have amended claims 1, 4, 10 and 12 to correspond the claims to the elected subject matter. Support may be found in these claims as originally filed. Applicants have amended claim 8 to incorporate the elected subject matter of Tables 1-7 and compounds of formulae ID and IE. Support may be found on page 15, line 10 to page 36, line 10 of the specification. Applicants have further amended claim 10 and amended claims 13, 14, 23 and 24 to improve their form. Applicants have canceled claim 9. None of these amendments adds new subject matter. Their entry is requested.

The Restriction

The Examiner has required a restriction in the above-identified application under 35 U.S.C. § 121 to one of the following seven groups:

- I. Claims 1-8, 10 (in part, wherein R^1 is NH_2) and 11-24, drawn to compounds of formula I wherein Q is a pyrimidine (i.e., A is N), corresponding compositions and methods of use;
- II. Claims 1-8, 10 (in part, wherein R^1 is NH_2) and 11-24, drawn to compounds of formula I wherein Q is a pyridine (i.e., A is CR^3), corresponding compositions and methods of use;
- III. Claims 1-8 and 11-24, drawn to compounds of formula I wherein Q is a 5-membered heterocycle, corresponding compositions and methods of use;
- IV. Claim 9, drawn to an intermediate compound of formula XII, wherein A is N;
- V. Claim 9, drawn to an intermediate compound of formula XII, wherein A is CH;
- VI. Claim 10, drawn to an intermediate compound of formula XIII, wherein A is N, R^1 is other than NH_2 ; and

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VII. Claim 10, drawn to an intermediate compound of formula XIII, wherein A is CH, R¹ is other than NH₂.

Applicants elect Group II, claims 1-8, 10 and 11-24, without traverse.

This election is made expressly without waiver of applicants' rights to continue to prosecute and to obtain claims to the non-elected subject matter either in this application or in other applications claiming benefit herefrom.

Election of Species

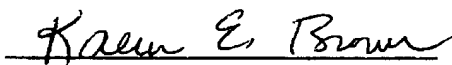
The Examiner has required an election of species that falls within the elected group.

Applicants elect compound XIA-23. Claims 1-8 and 11-24 read on the elected species.

Conclusion

Applicants request that the Examiner enter the above election, and allow the claims to pass to issue. Should the Examiner deem expedient a telephone discussion to further the prosecution of the above application, applicants request that the Examiner contact the undersigned.

Respectfully submitted,



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